

**13-22-12 Grounds for denial, suspension, or revocation.**

- (1) The director may, in accordance with Title 63G, Chapter 4, Administrative Procedures Act, issue an order to deny, suspend, or revoke an application, registration, permit, or information card, upon a finding that the order is in the public interest and that:
  - (a) the application for registration or renewal is incomplete or misleading in any material respect;
  - (b) the applicant or registrant or any officer, director, agent, or employee of the applicant or registrant has:
    - (i) violated this chapter or committed any of the prohibited acts and practices described in this chapter;
    - (ii) been enjoined by any court, or is the subject of an administrative order issued in this or another state, if the injunction or order includes a finding or admission of fraud, breach of fiduciary duty, material misrepresentation, or if the injunction or order was based on a finding of lack of integrity, truthfulness, or mental competence of the applicant;
    - (iii) been convicted of a crime involving moral turpitude;
    - (iv) obtained or attempted to obtain a registration or a permit by misrepresentation;
    - (v) materially misrepresented or caused to be misrepresented the purpose and manner in which contributed funds and property will be used in connection with any solicitation;
    - (vi) caused or allowed any paid solicitor to violate any rule made or order issued under this chapter by the division;
    - (vii) failed to take corrective action with its solicitors who have violated this chapter or committed any of the prohibited acts and practices of this chapter;
    - (viii) used, or attempted to use a name that either is deceptively similar to a name used by an existing registered or exempt charitable organization, or appears reasonably likely to cause confusion of names;
    - (ix) failed to timely file with the division any report required in this chapter or by rules made under this chapter; or
    - (x) failed to pay a fine imposed by the division in accordance with Section 13-22-3; or
  - (c) the applicant for registration or renewal has no charitable purpose.
- (2) The director may, in accordance with Title 63G, Chapter 4, Administrative Procedures Act, issue an order to revoke or suspend a claim of exemption filed under Subsection 13-22-8(4), upon a finding that the order is in the public interest and that:
  - (a) the notice of claim of exemption is incomplete or false or misleading in any material respect; or
  - (b) any provision of this chapter, or any rule made or order issued by the division under this chapter has been violated in connection with a charitable solicitation by any exempt organization.

Amended by Chapter 382, 2008 General Session